



THE CITY OF NEW YORK
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MEMO ENDORSED

VIA HAND DELIVERY

Honorable Denise L. Cote
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 11201

Re: Arquer v. City of New York, et al., 07 CV 6344 (DC)

Your Honor:

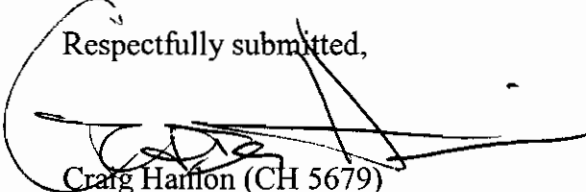
I am the Assistant Corporation Counsel assigned to the defense of this matter on behalf of the City of New York. In his complaint, plaintiff Andre Arquer alleges, *inter alia*, that New York City Correction Officers failed to protect him from an assault by another inmate. Defendant requests that its time to answer, move or otherwise respond to the complaint be extended from the current due date of August 1, 2007 to September 30, 2007. We contacted plaintiff's counsel and she consents to this request. This is the first request for an enlargement of time to answer the complaint.

The reasons for seeking an enlargement of time are as follows. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need this additional time to investigate the allegations of the complaint. Specifically, since plaintiff has alleged injuries as a result of the events complained of, this office is in the process of forwarding to plaintiff for execution a consent and authorization for the release of medical records, limited, at this juncture, to medical records concerning treatment received as a result of the alleged incident, so that defendant can properly assess the case and respond to the complaint.

*Grated -
Denise Cote
8/10/07*

No previous request for an extension has been made by defendant. Thank you for your consideration of this request.

Respectfully submitted,



Craig Hamilton (CH 5679)
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cc: Izabel Olszowa Garcia, Esq.
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